

**THIS DECISION HAS BEEN APPEALED. THE
FOLLOWING IS THE RELATED SOAH DECISION NUMBER:**

SOAH DOCKET NO. 453-04-3427.M4

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 08/07/03.

I. DISPUTE

Whether there should be reimbursement for prescriptions paid for out of pocket by the injured employee.

II. RATIONALE

The requestor submitted a "prescription profile" listing prescriptions dispensed to Patricia Villeneuve from 01/01/02 through 12/31/02 from Walgreens. The requestor did not provide prescriptions and/or medical documentation to specify which medications were in dispute and the reason they were prescribed. The TWCC 60, table of disputed services did not clearly identify the specific items in dispute as required by 133.307 (d)(2)(C). Reimbursement is not recommended.

III. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor is not entitled to reimbursement.

The above Findings & Decision are hereby issued this 13th day of January 2004.

Laura L. Campbell
Medical Dispute Resolution Officer
Medical Review Division

LLC/lle